

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIK E. LEMBURG,

Defendant.

8:11CR360

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on April 8, 2021 regarding Amended Petition for Offender Under Supervision [63]. Robert B. Creager represented the defendant. Michael P. Norris represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Offender Under Supervision [58]. The government's oral motion to dismiss Petition for Offender Under Supervision [58] is granted without objection.

The defendant appeared by summons, or is otherwise not in custody, and will not be detained. Therefore, the defendant does not have right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds the petition sets forth probable cause to believe the defendant violated the terms of supervised release. The defendant shall appear personally for a final dispositional hearing before Senior U.S. District Judge Joseph F. Bataillon in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 3:00 p.m. on May 17, 2021.

The government did not move for detention. The defendant shall be released on the current terms and conditions of supervision.

IT IS SO ORDERED.

Dated this 8th day of April, 2021.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge